

BILL NO. 85-7  
AS AMENDED

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

BILL NO. 85-7 (AS AMENDED)

Introduced by Council Member Fielder  
Legislative Day No. 85-5 Date February 19, 1985

AN ACT to add new Subsection (68.1) to Section 25-2.4, heading, Definitions; to repeal and re-enact with amendments Section 25-6.2., heading, Principal Permitted Uses by Districts - Table 1, heading, Principal Permitted Uses For Specific Zoning Districts/Retail Trade, of Section 25-6, heading, District Regulations, and to add new Subsection (7) to Subsection (b), heading, Specific Uses, of Section 25-5.7, heading, Temporary Uses, of Section 25-5, heading, Provisions Applicable To All Districts, of Article II, heading, Zoning Code, of Chapter 25, heading, Zoning, of the Harford County Code, as amended, to permit temporary sales of Hawkers and Peddlers in certain zoning districts; to establish conditions for such sales; and to provide generally for the sales of Hawkers and Peddlers.

By the Council, February 19, 1985

Introduced, read first time, ordered posted and public hearing scheduled  
on: March 19, 1985  
at: 7:00 P.M.

By Order: Angela M. Markowski, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on March 19, 1985 and concluded on March 19, 1985.

Angela M. Markowski, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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AS AMENDED

1 Section 1. *Be It Enacted by the County Council of Harford County,*  
2 *Maryland,* that new Subsection (68.1) be and it is hereby added to  
3 Section 25-2.4, heading, Definitions and that Section 25-6.2,  
4 heading, Principal Permitted Uses by Districts - Table 1., heading,  
5 Principal Permitted Uses for Specific Zoning Districts/Retail  
6 Trade, of Section 25-6, heading, District Regulations, be and is  
7 hereby repealed and re-enacted with amendments and that new  
8 Subsection (7), be and is hereby added to Subsection (b), heading,  
9 Specific Temporary Uses, of Section 25-5.7, heading, Temporary  
10 Uses, of Section 25-5, heading, Provisions Applicable To All  
11 Districts, of Article II, heading, Zoning Code, of Chapter 25,  
12 heading, Zoning, of the Harford County Code, as amended, all to  
13 read as follows:

14 Chapter 25. Zoning Code.

15 Article II. Zoning

16 Section 25-2.4. Definitions.

17 For purposes of the Code, the following words and phrases  
18 shall have the meanings provided below:

19 (68.1) HAWKER AND PEDDLER. ANY PERSON ENGAGED IN THE  
20 BUSINESS OF SELLING GOODS, WARES, OR MERCHANDISE WHO MUST BE  
21 LICENSED BY THE STATE AS A HAWKER OR PEDDLER.

22 Section 25-6.2. Principal Permitted Uses by Districts - Table 1,  
23 Principal Permitted Uses for Specific Zoning Districts/Retail Trade.

24 (See attached.)

25 Section 25-5.7. Temporary Uses.

26 (b) Specific Temporary Uses.

27 The temporary uses described below shall be subject to the  
28 following:

29 (7) HAWKERS AND PEDDLERS SALES SHALL BE PERMITTED IN THE VB,  
30 B2, B3, AND CI DISTRICTS SUBJECT TO THE FOLLOWING ADDITIONAL  
31 REQUIREMENTS:

32

1 a. THE ZONING CERTIFICATE SHALL SPECIFY THE USE,  
2 DATES, AND HOURS OF OPERATIONS TYPE OF USE AND THE DATES OF THE  
3 SALE. THE ZONING CERTIFICATE SHALL BE VALID FOR A PERIOD OF ONE  
4 YEAR AT WHICH TIME THE APPLICANT MAY APPLY FOR ANOTHER ZONING  
5 CERTIFICATE UPON COMPLYING WITH THE PROVISIONS OF THIS SECTION.

6 b. NO PERMANENT ONLY TEMPORARY LIGHTING SHALL BE  
7 INSTALLED PERMITTED.

8 c. THE SITE SHALL BE CLEARED OF ALL DEBRIS AT THE END  
9 OF THE SALE AND CLEARED OF ALL TEMPORARY STRUCTURES WITHIN THREE  
10 DAYS THEREAFTER.

11 d. THE PARCEL USED FOR THE PROPOSED USE HAS SUFFICIENT  
12 ROAD FRONTAGE TO INSURE SAFE INGRESS AND EGRESS.

13 e. SALES AND DISPLAY AREAS SHALL BE SETBACK A MINIMUM  
14 OF FIFTY (50) FEET FROM THE NEAREST PUBLIC ROAD RIGHT-OF-WAY.  
15 ENTRANCES AND EXITS TO THE REQUIRED PARKING AREA SHALL BE AT LEAST  
16 ONE HUNDRED (100) FEET FROM ANY STATE OR COUNTY INTERSECTION.  
17 OF AT LEAST THIRTY-FIVE (35) FEET FROM THE CENTER LINE OF THE ROAD  
18 OR TEN (10) FEET FROM THE PUBLIC ROAD RIGHT-OF-WAY, WHICHEVER IS  
19 GREATER.

20 f. THE PROPOSED USE SHALL NOT:

21 1. GENERATE GREATER TRAFFIC VOLUMES OR INCREASED  
22 TRAFFIC HAZARDS THAN NORMALLY WOULD BE EXPECTED IN THE DISTRICT.

23 2. BE DETRIMENTAL TO THE USE OR DEVELOPMENT OF  
24 ADJACENT PROPERTIES OR NEIGHBORHOOD.

25 g. SALES ON ANY ONE PARCEL SHALL NOT EXCEED SIX (6)  
26 MONTHS BE CONDUCTED FOR MORE THAN ONE HUNDRED EIGHTY-FIVE (185)  
27 DAYS IN ANY ONE YEAR.

28 h. AT THE TIME THE APPLICANT APPLIES FOR A ZONING  
29 CERTIFICATE, THE APPLICANT SHALL PROVIDE THE ZONING ADMINISTRATOR  
30 WITH THE FOLLOWING INFORMATION: THE LOCATION OF THE PARCEL OR  
31 PARCELS WHERE THE SALE OR SALES ARE TO BE LOCATED; WRITTEN  
32

1 PERMISSION FROM THE PROPERTY OWNER OR THE LAWFUL TENANT OF THE  
2 PARCEL OR PARCELS WHERE THE SALE OR SALES ARE TO BE LOCATED,  
3 GIVING APPROVAL FOR THE USE: AND A COPY OF THE LICENSE ISSUED  
4 BY THE STATE. A ZONING CERTIFICATE ISSUED BY THE ZONING  
5 ADMINISTPATOR SHALL COVER ALL PARCELS WHERE THE SALE OR SALES ARE  
6 TO BE LOCATED.

7 i. THE PROVISIONS OF THIS SUBSECTION SHALL NOT APPLY  
8 TO ANY EXEMPTION AS PROVIDED FOR BY STATE LAW AND SHALL NOT  
9 INCLUDE THE SALE BY A FARMER OF ANY PRODUCE GROWN ON AND SOLD  
10 FROM THE FARMER'S PROPERTY.

11 j. ONE TEMPORARY SIGN SHALL BE PERMITTED PROVIDED THE  
12 SIGN SHALL NOT EXCEED THIRTY-TWO (32) SQUARE FEET OR SIX (6)  
13 FEET IN HEIGHT AND SHALL NOT BE LOCATED LESS THAN ONE-THIRD OF THE  
14 SETBACK REQUIREMENTS OF THE ZONING DISTRICT WHERE THE SALE IS  
15 PERMITTED AND SHALL BE REMOVED AT THE END OF THE SALE DAY.

16 ~~k. NO SALES OF TRACTOR AND TRAILER LOAD OF FURNITURE,~~  
17 ~~APPLIANCES, OR HOUSEHOLD GOODS SHALL BE ALLOWED.~~

18 k. NO HAWKER OR PEDDLER SHALL OPERATE FROM A VEHICLE  
19 WHICH HAS A MANUFACTURER'S RATED CAPACITY GREATER THAN ONE (1) TON.

20 l. THE PROVISIONS OF THIS SUBSECTION SHALL NOT BE  
21 CONSTRUED TO RELIEVE ANY HAWKER OR PEDDLER FROM ANY LAW, RULE,  
22 REGULATION OR RESOLUTION ENACTED BY THE STATE OF MARYLAND.

23 Section 2. *And Be It Further Enacted* that this Act shall take  
24 effect sixty (60) calendar days from the date it becomes law.

25 EFFECTIVE: June 17, 1985

85-7

BY THE COUNCIL

AS AMENDED

BILL NO. 85-7 (as amended)

Read the third time.

Passed LSD 85-10 (April 9, 1985) (with amendments)

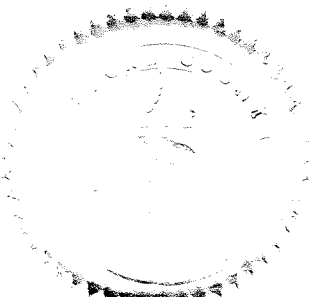
Failed of Passage \_\_\_\_\_

By order

Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive  
for his approval this 10th day of April, 1985  
at 3:00 o'clock P.M.

Angela Markowski, Secretary



APPROVED:

BY THE EXECUTIVE

[Signature]  
County Executive

Date 4-17-85

BY THE COUNCIL

This Bill (No. 85-7, as amended), having been approved by  
the Executive and returned to the Council, becomes law on  
April 17, 1985.

Angela Markowski, Secretary

EFFECTIVE DATE: June 17, 1985

85-7

AS AMENDED